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## Health Overview & Scrutiny Committee

23<sup>rd</sup> September 2009

Report of the Head of Civic, Legal & Democratic Services

### Annual Health Check & New Registration Process - Update

#### Summary

1. This report is to update Members on the Annual Health Check 2009/10 and inform them of the Care Quality Commission's new processes for regulation of NHS Trusts.

#### Background

2. For the past few years the Health Overview & Scrutiny Committee have been providing commentaries on the local NHS Trusts' declarations as part of the Annual Health Check. The last of these was for the year 2008/09 and the Committee's comments were published in an agenda dated 11 May 2009. The Annual Health Check performance ratings for each Trust, for 2008/09, will be available to the public via the Care Quality Commission's website from Thursday 15<sup>th</sup> October 2009.
3. The regulation of health and adult social care services is currently undergoing changes and new registration standards are being introduced that will apply to NHS Trusts for the first time. All NHS Trusts (including Primary Care Trusts as providers) must be registered with the Care Quality Commission from 1<sup>st</sup> April 2010.
4. In 2010, all NHS Trusts, NHS Foundation Trusts and Primary Care Trust providers will be included in the new system of registration that replaces assessment of performance against the core standards set out in 'Standards for Better Health'. The Care Quality Commission will invite Trusts to apply to be registered and ask them to make a declaration of their compliance with the new registration requirements in January 2010. The applications will then be assessed and further enquiries made, including some inspections, in order that Trusts are registered at 1 April 2010.

#### Annual Health Check 2009/10

5. This is a transitional year for the NHS between the previous system of the Annual Health Check and the new system of registration and periodic review. In order to avoid confusion with Trusts' applications for registration, which will start in January 2010, this year's core standards assessment will be based on a mid-year declaration.

6. For this process, Trusts will be required to make a declaration on the extent to which their organisation has met the core standards between 1 April 2009 and 31 October 2009.
7. The Care Quality Commission, have confirmed via an e-mail to the Scrutiny Officer, that Overview and Scrutiny Committees will not be required to comment on the Trusts' declarations and there will be no third party consultation for mid year declarations in this last round of the Annual Health Check.

#### Future role of Overview & Scrutiny Committees in the assessment process

8. Later in the year the Care Quality Commission will be inviting those groups who submitted third party commentaries last year to send them evidence about aspects of Trusts' performance separately from Trusts' declarations. These groups include Local Involvement Networks (LINKs) and Overview & Scrutiny Committees amongst others. They will be invited to give their views as part of the application for registration process, from December 2009.
9. The evidence provided will be used to help inform the Care Quality Commission's decisions about the registration of providers from April 2010. As of going to print, there is no deadline for submission of the evidence but it is under consideration and the Committee will be updated as and when new information becomes available. The evidence will be used, where relevant, to inform core standards assessments and commissioning assessments. Thereafter, evidence submitted will be used to inform monitoring of the ongoing compliance of providers on a continual basis.
10. Representatives from the Care Quality Commission will be attending the Centre for Public Scrutiny's (CfPS) networking events for health, care and wellbeing Overview & Scrutiny Committees (OSCs) this autumn. This will be the first major opportunity for OSCs to hear directly from the Care Quality Commission on their approach to regulation of health and social care organisations and how they propose working with scrutiny. There will be an opportunity at each event for OSCs to influence the Care Quality Commission's approach by giving their views on scrutiny's relationship with the new regulator. The northern event will be held on 24<sup>th</sup> November in Leeds and the Scrutiny Officer is currently making arrangements for York to be represented at the event.
11. An information sheet published by the Care Quality Commission is attached at Annex A to this report.

### **Consultation**

12. The Care Quality Commission sends monthly bulletins from which the majority of this information is drawn. There has also been some e-mail correspondence between the Care Quality Commission and the Scrutiny Officer.

## **Options**

13. Members are asked to note the contents of this report and;
- i. Consider whether they would like to take part in providing evidence (paragraph 8 refers)
  - ii. If so; consider delegating this task to the Chair, Vice-Chair and one other in conjunction with the Scrutiny Officer

## **Analysis**

14. This is a new process and Members are asked to consider approving the options set out in paragraph 13 of this report. The next meeting of this Committee is currently scheduled for 2<sup>nd</sup> December 2009 and work may need to take place before that date as new information comes through from the Care Quality Commission. It is, therefore, recommended that the delegations set out in paragraph 13 (ii) of this report be approved at this meeting so that work can begin as soon as necessary.

## **Corporate Strategy 2009/2012**

15. This relates to the Healthy City theme of the recently refreshed Corporate Strategy.

## **Implications**

16. **Financial** – There are no financial implications associated with the recommendations in this report.
17. **Human Resources** – There are no Human Resources implications associated with the recommendations in this report.
18. **Legal** – There are no legal implications associated with the recommendations within this report.
19. There are no other known implications associated with the recommendations in this report.

## **Risk Management**

20. In compliance with the Council's risk management strategy there are no known risks associated with the recommendations in this report.

## **Recommendations**

21. Members are asked to note the information provided and:
- i. Consider whether they would like to take part in providing evidence (paragraph 8 refers)

- ii. If so; consider delegating this task to the Chair, Vice-Chair and one other in conjunction with the Scrutiny Officer

Reason: To enable the Health Overview & Scrutiny Committee to carry out their duty to promote the health needs of the people they represent.

## Contact Details

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Report Approved  Date 14.09.2009

**Specialist Implications Officer(s)** None

**Wards Affected:**

All

For further information please contact the author of the report

### Background Papers:

Monthly updates for NHS Trusts published by the Care Quality Commission Reviews in 2009/10 – Assessing and rating health and adult social care organisations (available on the Care Quality Commission's website).

### Annexes

**Annex A** Information sheet for Health Overview & Scrutiny Committees published by the Care Quality Commission – September 2009.